

Tuesday, December 12, 2023

Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
City Council Chambers, Room 108
200 South Illinois Avenue
Carbondale, Illinois 62901
6:00 p.m.

1. Preliminaries to the Local Liquor Control Commission Meeting

Subject :	1.1 Roll Call
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Procedural

Public Content

2. Citizens' Comments for the Local Liquor Control Commission

Subject :	2.1 Citizen Comments for the Liquor Commission
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	

Public Content

Citizens comments for the Local Liquor Control Commission

3. General Business of the Local Liquor Control Commission

Subject :	3.1 Local Liquor Control Commission Meeting Minutes from October 24, 2023
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Action
Recommended Action :	Approve the minutes from the Local Liquor Control Commission meeting of October 24, 2023

Public Content

Originating Department: City Clerk's Office

File Attachments

[Local Liquor Control Commission Meeting Minutes 24 October 2023.pdf \(9 KB\)](#)

3. General Business of the Local Liquor Control Commission

Subject :	3.2 Application for an On-Premises Secondary - Restaurant Liquor License for Yamato Steakhouse of Japan Chen, Inc. Located at 1013 East Main Street
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Action
Recommended Action :	Approve the issuance of an On-Premises Secondary - Restaurant Liquor License for Yamato Steakhouse of Japan Chen, Inc., contingent upon receipt of all outstanding items; or deny the issuance of the liquor license based on one or more provisions of the Liquor Code.

Public Content

Originating Department: City Clerk's Office

Background:

Attached is an application from Yamato Steakhouse of Japan Chen, Inc. located at 1013 East Main Street for an On-Premises Secondary - Restaurant Liquor License.

Liquor Code Provisions:

On-Premises Secondary Use Restaurant: Sales of alcohol and/or video gaming revenues are ancillary to the operation of the business. The principal source of revenue shall come from the sale of nonalcoholic beverages and food. There is no minimum age for entry.

2-4-5: PROCEDURE FOR CRITERIA FOR ISSUING A LICENSE:

A.Notice: Upon the filing of an application for a liquor license, the application shall be reviewed by City staff for completeness, accuracy, and recommendation to the Commission; the application will then be considered at the next available Liquor Commission meeting. The applicant shall be notified of the date of said meeting not less than three (3) business days in advance. Failure of the applicant to accept, read, review the notice, whether provided by mail, email, or telephone, does not constitute improper notification by the Commission.

B.Hearing And Evidence: The Commission shall receive and may require such evidence deemed necessary to make findings based on the standards and factual criteria set out below and elsewhere in this title.

C.Standards And Factual Criteria: After the hearing, the Commission may grant a liquor license, contingent upon receipt of outstanding items, if it is determined that the grant of the license would not be detrimental to the general welfare of the City. The Commission may deny an application or may require changes to the applicant's plans in order to establish grounds for the issuance of the license if they find the application does not meet one or more of the factual criteria listed below.

01.The application does not contain all the information, supporting documents, or fees required by this title.

02.The issuance of the license would be in violation of any part of this title.

03.The applicant does not have sufficient financial assets to maintain the proposed liquor establishment or has demonstrated insufficient financial responsibility.

04.The applicant is a convicted felon who has not been adequately rehabilitated.

05.The issuance of the license can reasonably be expected to create excessive noise, traffic, parking, or litter problems.

06.The applicant has a history of problems with regard to violations of health regulations, laws, and ordinances at prior establishments owned or managed by the applicant.

07.The building in which the applicant seeks to operate does not meet building and zoning code ordinances and regulations.

08.The issuance of the license can reasonably be expected to create a nuisance such as excessive and repeated breaches of the peace.

09.The applicant has previously had a liquor license revoked or suspended in this or any other state or jurisdiction.

10.The applicant is seeking a restaurant license and does not provide sufficient facilities or menu items to operate as a restaurant.

Outstanding Items:

The \$100 application fee has been paid and the criminal history check did not reveal anything which would preclude the applicant from holding a liquor license.

Staff Recommendation: Approve

License classification is appropriate for the operation

The location and parking are fitting for a restaurant

File Attachments

[Yamato Steakhouse of Japan - New Liquor Lic. App. Redacted.pdf \(2,873 KB\)](#)

[2-4-5 CRC Procedure for Criteria for Issuing a License.pdf \(20 KB\)](#)

[2-4-4 Ineligibility for License - State Liquor Code Section 235 ILCS 5.6.2 - Issuance of licenses to certain persons prohibited.pdf \(91 KB\)](#)

[Determinants for Granting or Denying Application for a Liquor License.pdf \(21 KB\)](#)

3. General Business of the Local Liquor Control Commission

Subject :	3.3 Application for On-Premises Primary Liquor License from Stix 517, LLC d/b/a Stix
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Action
Recommended Action :	Approve the issuance of an On-Premises Primary Use Liquor License with Live Entertainment rider for Stix 517, LLC d/b/a Stix, contingent upon receipt of all outstanding items; or approve the issuance of an On-Premises Primary Use Liquor License without the live entertainment rider, contingent upon receipt of all outstanding items; or deny the issuance of the liquor license based on one or more provisions of the Liquor Code

Public Content

Originating Department: City Clerk's Office

Background:

Attached is an application for an On-Premises Primary Use liquor license from Stix 517, LLC d/b/a Stix located at 517 South Illinois Avenue. The proposed operation of the license is a bar with pool tables, D.J., and Live Entertainment (this will require a live entertainment rider). The establishment will not apply for video gaming licenses. The proposed hours of operation are Thursday through Saturday, 9:00 p.m. to 2:00 a.m.

There is currently a license issued to 517 Illinois, LLC d/b/a Stix at this location valid through December 2023. Staff contacted the sole member of the LLC, Casey Trusty, regarding the status of the current license or the renewal of said license for 2024 and Mr. Trusty indicated that the business is not in his hands any longer.

Liquor Code Provisions:

On-Premises Primary License: Sales of alcohol for consumption on the business premises are the principal source of revenue. The minimum entry age for the establishment shall be eighteen (18) unless a special condition or license rider is issued to modify such entry age. The license fee is one thousand seven hundred fifty dollars (\$1,750.00).

2-4-5: PROCEDURE FOR CRITERIA FOR ISSUING A LICENSE:

A. Notice: Upon the filing of an application for a liquor license, the application shall be reviewed by City staff for completeness, accuracy, and recommendation to the Commission; the application will then be considered at the next available Liquor Commission meeting. The applicant shall be notified of the date of said meeting not less than three (3) business days in advance. Failure of the applicant to accept, read, or review the notice, whether provided by mail, email, or telephone, does not constitute improper notification by the Commission.

B. Hearing And Evidence: The Commission shall receive and may require such evidence deemed necessary to make findings based upon the standards and factual criteria set out below and elsewhere in this title.

C. Standards And Factual Criteria: After the hearing, the Commission may grant a liquor license, contingent upon receipt of outstanding items, if it is determined that the grant of the license would not be detrimental to the general welfare of the City. The Commission may deny an application if they find one or more of the following:

1. The application does not contain all the information, supporting documents, or fees required by this title.

- 2.The issuance of the license would be in violation of any part of this title.
 - 3.The applicant does not have sufficient financial assets to maintain the proposed liquor establishment or has demonstrated insufficient financial responsibility.
 - 4.The applicant is a convicted felon who has not been adequately rehabilitated.
 - 5.The issuance of the license can reasonably be expected to create excessive noise, traffic, parking, or litter problems.
 - 6.The applicant has a history of problems with regard to violations of health regulations, laws, and ordinances at prior establishments owned or managed by the applicant.
 - 7.The building in which the applicant seeks to operate does not meet building and zoning code ordinances and regulations.
 - 8.The issuance of the license can reasonably be expected to create a nuisance such as excessive and repeated breaches of the peace.
 - 9.The applicant has previously had a liquor license revoked or suspended in this or any other state or jurisdiction.
 - 10.The applicant is seeking a restaurant license and does not provide sufficient facilities or menu items to operate as a restaurant.
- D.Conditions On Issuance: If the Commission finds that any change in the applicant's plans is/are needed to create grounds for the issuance of such license, the Commission may require such change(s). A condition on the granting of a license and the failure of the applicant at any time to adhere to or perform such condition shall be considered a violation of this title.

Outstanding Items:

The \$100 application fee has been paid and the criminal history did not reveal anything which would preclude the applicant from holding a liquor license. All other items remain outstanding.

Staff Recommendation:

The applicant, Greg Knoob, has held liquor licenses in Carbondale for numerous years including at the proposed location as well as at Levels. Based on previous experience with the applicant, Staff recommends denial of the application. The applicant has been cited for violations of the liquor code on numerous occasions, has appeared before the Liquor Commission numerous times, and based on experience in dealing with the applicant, Staff believes that it's reasonable to expect that standards and criteria numbers 5, 6, 8, and 9 of 2-4-5-C (above) will be met.

File Attachments

[Stix 517, LLC Liquor License Application \(Knoob, Greg\)_Redacted.pdf \(2.380 KB\)](#)
[2-4-5 CRC Procedure for Criteria for Issuing a License.pdf \(20 KB\)](#)
[2-4-4 Ineligibility for License - State Liquor Code Section 235 ILCS 5.6.2 - Issuance of licenses to certain persons prohibited.pdf \(91 KB\)](#)
[Business Entity Search Knoob Enterprises.pdf \(106 KB\)](#)
[Business Entity Search.pdf \(184 KB\)](#)
[Parcel Details for 1521402005.pdf \(189 KB\)](#)
[Parcel Details for 1522351009.pdf \(185 KB\)](#)
[170921-IDOR-liens.pdf \(1.813 KB\)](#)
[Knoob History of Liquor Ownership.pdf \(550 KB\)](#)

3. General Business of the Local Liquor Control Commission

Subject :	3.4 Acceptance of a Liquor Control Hearing 2023-01 IN RE Chalky's LLC d/b/a Club 13
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Action
Recommended Action :	It is recommended that the Carbondale Liquor Control Commission accept the Hearing Officer report and the stipulation of the parties, and accept, reject, or modify the recommendations of the Hearing Officer.

Public Content

Originating Department: Legal

Background:

Chalky's, LLC (d/b/a Club 13) holds a liquor license in the City of Carbondale. On July 21, 2023, and July 22, 2023 Club 13 hosted two separate events. These events went past the 1:59 am closing time and required the Carbondale Police Department to intervene to get the establishment to close as required by 2-5-4(B)(1) of the CRC. After a review of the reports and evidence, the City Attorney's office drafted a citation and notice of hearing with an initial hearing date of August 24, 2023. Due to conflicts in schedules with Mr. Martin, the case was rescheduled to September. Before the hearing, Mr. Martin met with the City Attorney to review the video evidence in the matter. After observing the evidence Mr. Martin agreed to enter into a stipulation of facts with no agreed-upon penalty. After the stipulation plus all evidence being prepared for the stipulation, it took some time to get everything signed and delivered to the hearing officer for his review and for him to prepare the attached report and recommendation.

The Carbondale Liquor Control Commission should accept the stipulation of facts and the Hearing Officer Report in 2023-01 and either accept, reject, or modify in either whole or part the recommendation of the Hearing Officer.

File Attachments

[Report and Recommendation 2023-12-12.pdf \(2,881 KB\)](#)

[Stipulated Agreement 2023-12-12.pdf \(223 KB\)](#)

3. General Business of the Local Liquor Control Commission

Subject :	3.5 Renewal of Liquor Licenses for Calendar Year 2024
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Action
Recommended Action :	The Local Liquor Control Commission should first consider whether to approve, modify, or deny the addition of liquor license riders for Bombay Olive, Indigo Event Space and Lounge, and Sausea's; a change in classification for Indigo Event Space and Lounge based on revenue percentages; and a change in license classification for AMT Entertainment d /b/a Booby's from an On-Premises Primary (bar) to On-Premises Secondary - Restaurant. These can be taken in one action or separately; and Approve the renewal of the liquor licenses following the Commission's decisions relating to changes in operations, contingent upon receipt of all outstanding items. If the Commission wants to pull any license for separate consideration, separate motions can be made on any or all applications for renewals. Denial of license renewals should be based on one or more provisions of the State and/or City Liquor Code.

Public Content

Originating Department:City Clerk's Office

Background:

On September 27 and 28, liquor license renewal applications were emailed to licensees, with a due date of November 1.

Timeliness/Completeness of Applications for Renewal

63 renewal applications were emailed to license holders. 40 renewals are complete with no outstanding items and 21 still have outstanding items. 1 application was submitted after the November 1 deadline and the late fee of \$500 was remitted.

Quarterly Reports

Attached are the arrest reports for this license year thus far. There are no reports from the Building/Fire Inspector.

Minimum Percentage Requirements

On-Premises Primary - alcohol is the principal source of revenue; there is a minimum entry age of eighteen without a special condition rider to the contrary

On-Premises Secondary - sales of alcohol are ancillary to the operation; the business shall not have as its principal source of revenue the sale of alcohol or video gaming revenues; no minimum entry age

On-Premises Secondary - Restaurant - sales of alcohol are secondary to the purpose of the business and the principal source of revenue shall come from the sale of nonalcoholic beverages and food. **The minimum percentage of sales revenue for the sales of nonalcoholic beverages and food shall be 51%.** No minimum entry age.

On-Premises NFP - if the principal source of revenue is from alcohol or video gaming revenues, it is an On-Premises NFP Primary; otherwise, it is an On-Premises NFP Secondary

Video Gaming Parlor - The principal source of revenue shall be video gaming revenues; the minimum entry age is 21 in the area where video game terminals are located and cordoned off from the remaining areas.

Off-Premises Primary licenses - alcohol is the principal source of revenue; there is a minimum entry age of eighteen without a special condition rider to the contrary

Off-Premises Secondary - retail sales of beer or wine in original packages by a grocery store; alcohol is not the principal source of revenue

Manufacturer - production of wine, beer, or spirits; on-premises and package sales permitted.

Indigo Event Space and Lounge(On-Premises Secondary - Restaurant)

October 2022 through September 2023

Revenues were 29.11% alcohol, 40.14% food/non-alcoholic beverages, and 30.74% as "other".

October 2021 through September 2022

Revenues were 29.64% alcohol, 39.41% food/non-alcoholic beverages, and 30.95% as "other".

Tres Hombres(On-Premises Secondary - Restaurant)

October 2022 through September 2023

Revenues were 40.89% alcohol, 11.962% video gaming, 47.15% food/non-alcoholic beverages, and 0% as "other".

October 2021 through September 2022

Revenues were 40.42% alcohol, 12.72% video gaming, 46.87% food/non-alcoholic beverages, and 0% as "other".

In both cases, the revenues from food and non-alcoholic beverages do not meet the minimum 51% threshold, however, the City Attorney has advised that Video Gaming cannot be included in the calculations as "revenues." By removing the video gaming revenues from Tres Hombres' business data report, alcohol sales constitute 46.44% of their revenues, and food/non-alcoholic beverages are 53.56%.

Historically, businesses selling alcohol from the building where Indigo Event Space and Lounge is located applied for restaurant licenses in part to avoid running afoul of the State's location restrictions for such businesses within 100 feet of "...any church or school, other than an institution of higher learning, hospital, home for the aged or indigent persons or for veterans, their spouses or children or any military or naval station..." this restriction, however, does not apply "...to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops **or other places where sale of alcoholic liquor is not the principal business carried on if the place of business** so exempted is not located in a municipality of more than 500,000 persons...." Indigo Event Space and Lounge does not meet the City's definition of a restaurant, but would certainly qualify as an "On-Premises Secondary" business based on this license year's and last license year's revenues. Further, in the event that alcohol sales were to become a primary revenue source, the Local Liquor Control Commission[er] "may grant an exemption to the prohibitionif a local rule or ordinance authorizes the local liquor control commission[er] to grant that exemption. In order to renew the liquor license for Indigo Event Space and Lounge in accordance with the Carbondale Revised Code, it would be appropriate to issue said license as an "On-Premises Secondary" license, which would have no impact on the business's operation.

Outstanding Fees/Fines/Taxes

Bombay Olive - has not submitted F&B taxes for the 1st quarter 2022, 4th quarter 2022, 1st, 2nd, and 3rd quarter of 2023

Cristaudo's- has not submitted F&B taxes for the 2nd and 3rd quarter of 2023

Indigo Event Space and Lounge has not submitted F&B taxes for the 4th quarter 2022, and the 1st, 2nd, and 3rd quarter of 2023

Italian Village - owes a late fee of \$75.66 for F&B taxes

Key West has not submitted F&B taxes for the 2nd quarter 2023

Little Vegas (both locations) - have not submitted F&B taxes for 2022

Sausea's - has not submitted F&B taxes for the 3rd quarter of 2023, which remittance was due October 20, 2023

Thai Taste - has not submitted F&B taxes for the 3rd quarter of 2023 and owes late fees of \$187.83

Changes to Licensed Operations

AMT Entertainment dba Booby's is seeking a change in classification from an On-Premises Primary classification (aka "a bar") to an On-Premises Secondary classification.

Bombay Olive - added a video gaming rider.

Club 13- has not yet submitted a renewal application. The license holder is aware of the renewal due date and has been in communication with the Clerk's Office.

Indigo Event Space and Lounge, LLC dba Indigo Event Space and Lounge

1) is seeking a beer garden license rider; the licensee will need to meet with the Building Inspector or Community Development Manager to ensure that their desired location will be a safe and appropriate location for said operation. It would be advisable to approve this rider contingent upon approval by the Building Inspector.

2) would be appropriately classified as an On-Premises Secondary license instead of an On-Premises Secondary Restaurant license

Manny's - removed outdoor service area rider.

Sausea's- added a video gaming rider.

Tequila's- removed outdoor service area rider.

Liquor Advisory Board Review

There was not a review by the Liquor Advisory Board. With only four members currently appointed and a quorum of three members, they were unable to arrive at a date and time when a quorum could meet. Further, the City Clerk was out of the office for two weeks in November for personal matters, which further impeded the scheduling.

Recommended Action

The Local Liquor Control Commission should first consider whether to approve, modify, or deny the addition of liquor license riders for Bombay Olive, Indigo Event Space and Lounge, and Sausea's; a change in classification for Indigo Event Space and Lounge based on revenue percentages; and a change in license classification for AMT Entertainment d/b/a Booby's from an On-Premises Primary (bar) to On-Premises Secondary - Restaurant. These can be taken in one action or separately; and

Approve the renewal of the liquor licenses following the Commission's decisions relating to changes in operations, contingent upon receipt of all outstanding items, including submission of all outstanding Food and Beverage taxes plus late fees.

If the Commission wants to pull any license for separate consideration, separate motions can be made on any or all applications for renewals. Denial of license renewals should be based on one or more provisions of the State and/or City Liquor Code.

File Attachments

[2-4-5 CRC Procedure for Criteria for Issuing a License.pdf \(20 KB\)](#)

[2-4-4 Ineligibility for License - State Liquor Code Section 235 ILCS 5.6.2 - Issuance of licenses to certain persons prohibited.pdf \(91 KB\)](#)

[Business Data Report for 2024 Liquor License Renewals 12 December 2023.pdf \(70 KB\)](#)

[Amplified Sound and or Beer Garden Complaints 1 January 2023 to 7 December 2023.pdf \(8 KB\)](#)

[CPD Alcohol Arrest Summary for License Year 2023 1-1-23 to 12-7-23.pdf \(12 KB\)](#)

4. Adjournment of the Local Liquor Control Commission

Subject :

4.1 Time of Adjournment for Local Liquor Control Commission

Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Procedural

Public Content

5. Preliminaries to the City Council Meeting

Subject :	5.1 Roll Call
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Procedural

Public Content

5. Preliminaries to the City Council Meeting

Subject :	5.2 Citizens' Comments and Questions
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Procedural

Public Content

Citizens may address the City Council for up to four minutes on any agenda item. Public comments will be accepted for a maximum of 30 minutes per item. Those wishing to address the City Council should raise their hand to be recognized by the Mayor prior to approaching the podium. Speakers should provide their names for the minutes and end their comments when the four-minute time limit is announced. The Council may suspend or waive the speaker time limit with the consent of a majority of Council members present and are not required to respond to public remarks during the meeting.

5. Preliminaries to the City Council Meeting

Subject :	5.3 Council Comments, General Announcements, and Proclamations
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Procedural

Public Content

General Comments from the City Council and City Manager. Proclamations, Special Recognition, and Oaths of Office will periodically be administered at this time.

7. Consent Agenda of the City Council

Subject : 7.1 City Council Meeting Minutes from November 28, 2023

Meeting : Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023

Type : Action (Consent)

Recommended Action : Approve the City Council Meeting Minutes from November 28, 2023.

Public Content

Originating Department: City Clerk's Office

Background:

File Attachments

[Regular City Council Meeting 2023-11-28.pdf \(204 KB\)](#)

7. Consent Agenda of the City Council

Subject : 7.2 Approval of Warrant for the Period Ending: 11/23 /2023 for the FY 2024 Warrant 1473 in the Total Amount of \$4,151,426.04

Meeting : Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023

Type : Action (Consent)

Recommended Action : Accept the following report of payments made for the period ended: 11/23/2023 totaling \$4,151,426.04

Public Content

Originating Department: Finance

Background:

File Attachments

[Warrant 1473 2023-12-12.pdf \(366 KB\)](#)

7. Consent Agenda of the City Council

Subject : 7.3 Resolution Authorizing the City of Carbondale to Enter Into an Intergovernmental Agreement with Greater Egypt Regional Planning Commission for the Creation of a Comprehensive Stormwater Master Plan

Meeting : Dec 12, 2023 - Local Liquor Control Commission and

Type :	Action (Consent)
Recommended Action :	Adopt a Resolution authorizing the City of Carbondale to enter into an Intergovernmental Agreement with Greater Egypt Regional Planning Commission to create a Comprehensive Stormwater Master Plan

Public Content

Originating Department: Community Development | Planning | Sustainability

Background:

The Carbondale community acknowledges that greenhouse gas (GHG) emissions from human activity are contributing to climate changes, the consequences of which pose risk to the future health, wellbeing, and prosperity of our community. One such change is the increased frequency, volume, and velocity of extreme stormwater events. Springtime precipitation is expected to increase in southern Illinois by 10-15% by 2050, while Illinois has already experienced dramatic increases in extreme precipitation events over the past two decades (Frankson, R.K. et al., Illinois State Climate Summary, NOAA Technical Report, 2017). According to the summary report of the Illinois Urban Flooding Awareness Act, 90% of insurance payouts for urban flooding in Illinois occurred outside of FEMAs mapped 100-year floodplain.

The impacts of this unprecedented flooding are already felt along key waterways in the City of Carbondale, including Piles Fork Creek, which is adjacent to many of our locally owned and operated small businesses. Localized flooding has and will lead to loss of revenue, degradation of structures and other detrimental impacts to businesses, non-profit buildings, and livelihoods in the community. Our existing infrastructure, which has not been designed to withstand the increased frequency, velocity, and volume of climate change induced flooding, is struggling to provide the water management necessary to protect our housing and building stock. More heavy downpours may increase the likelihood of property damage, travel delays, and disruption in services.

While the City of Carbondale has been actively involved in watershed planning (Western Crab Orchard Watershed based Plan), Nutrient Assessment Reduction Plan (NARP) development, and other water quality initiatives, the City of Carbondale does not have a stormwater master plan; a strategic design and decision-making document that guides communities in the development and maintenance of comprehensive stormwater drainage systems. When implemented effectively, stormwater master planning allows city staff to better advise the City Council of infrastructure planning in a coordinated, forward-thinking, and comprehensive effort.

In September of 2023, the City of Carbondale applied for a Delta Regional Authority Strategic Planning Grant (DRA) and was awarded \$150,000 of funding to partner with Greater Egypt in order to create a comprehensive Stormwater Master Plan. Further details surrounding the deliverables and community engagement practices to be deployed may be found in the attachments "Intergovernmental Agreement Greater Egypt and City of Carbondale (Stormwater Plan)" and "DRA Strategic Planning Grant Application and Work Plan".

The approved FY24-28 CIP includes CIP project SS-1401 (City-wide drainage study) to be programmed in FY26. The DRA funding will be applied to this project cost.

File Attachments

[Intergovernmental Agreement - Greater Egypt and City of Carbondale \(Stormwater Plan\).pdf \(694 KB\)](#)
[Attachment A - DRA Strategic Planning Grant Application and Work Plan.pdf \(1.022 KB\)](#)
[Resolution Authorizing the City of Carbondale to Enter into an Intergovernmental Agreement with the Greater Egypt Regional Planning Commission - 2023-12-12.pdf \(381 KB\)](#)

7. Consent Agenda of the City Council

Subject :	7.4 Ordinance Amending Title Sixteen, Chapter Nine of the Carbondale Revised Code Addressing Trail Camera Use at Cedar Lake
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Action (Consent)
Recommended Action :	Adopt an Ordinance Amending Title Sixteen, Chapter Nine of the Carbondale Revised Code Addressing Trail Camera Use at Cedar Lake
Goals :	Goal #4: Encourage progressive economic development, tourism, arts, and entertainment Goal #1: Provide a high quality-of-life and foster a sense of community for all residents

Public Content

Originating Department: Public Works - Utilities

Background:

The Carbondale Revised Code Title Sixteen, Chapter Nine addresses public use of the City-owned Cedar Lake watershed. City Staff have found an exceptional number of trail cameras this season set up on public use trails. Staff recommends revising City Code to prohibit the use of trail cameras on this property. The trails and property are open to the public, and as such, the people using it should not be subject to being filmed without their consent. Another aspect of these cameras is that most are capable of live view from a cell phone or a computer from anywhere.

The proposed additions are shown in Attachment A of the attached Ordinance. It is recommended that the City Council adopt the Ordinance to prohibit trail camera use at Cedar Lake.

File Attachments

[Ordinance Amending Title 16, Chapter 9, Section 7 of the CRC 2023-12-12.pdf \(161 KB\)](#)
[Exhibit A Additions Prohibiting Trail Camera Use at Cedar Lake 2023-12-12.pdf \(362 KB\)](#)

7. Consent Agenda of the City Council

Subject :	7.5 Resolution Authorizing the City of Carbondale to Contract Legal Services through Lawyers 4 Good Government to Evaluate the Legal Feasibility of Energy Sovereignty, Security, & Democracy
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Action (Consent)
Recommended Action :	Adopt a Resolution Authorizing the City of Carbondale to Contract Legal Services through Lawyers 4 Good

Public Content

Originating Department: Community Development | Planning | Sustainability

Background:

On May 23, 2023, the Carbondale City Council received a two-part presentation from Planner & Sustainability Coordinator Lauren Becker, outlining the findings from the first community-scale greenhouse gas inventory for the baseline year of 2019. The data revealed that 66% of the City of Carbondale's annual greenhouse gas emissions are produced by energy use, while 30.6% are produced through transportation and mobile sources. The second portion of the presentation focused on what has been named the "Energy Sovereignty, Security, & Democracy Proposal", a proposed partnership between the City of Carbondale and the Village of Dowell, which would develop a new and replicable energy system model leveraging federal tax incentives to deploy publicly-owned solar arrays and energy storage to meet the net annual energy consumption of the Village of Dowell and the City of Carbondale. The City of Carbondale City Council provided a directive to staff to continue exploration. Since this presentation, City staff have made significant progress surrounding the proposal.

In July 2023, the City of Carbondale and the Village of Dowell were one of only sixty-seven winners nationally of the Department of Energy's \$200,000 Energizing Rural Communities Prize, which was awarded in part to assist the partnership in evaluating the legal feasibility of the Energy Sovereignty, Security, & Democracy Proposal.

What was originally intended to be a standalone legal evaluation was determined by staff to be better suited as Phase 1 and Phase 2 of a larger comprehensive feasibility review of the proposal through partnership with Lawyers 4 Good Government (L4GG), the National Renewable Energy Lab (NREL), and the not for profit Elevate Energy (Elevate), best known for their administration of the Illinois Solar for All Program on behalf of the State of Illinois.

In November 2023, the City of Carbondale, Village of Dowell, and Jackson County submitted the Energy Future Grant Phase 1 Planning Grant application which would provide \$.5M in federal funding to conduct this comprehensive feasibility review of the proposal. The City of Carbondale will learn of their application status in January 2024.

Given that the Energy Sovereignty Partnership has already secured funding for Phase 1 and Phase 2 of the legal services necessary through the Energizing Rural Communities Prize, Phase 1 and Phase 2 of legal services can commence as early as January 2024.

Please find attached for reference the letter of engagement with Lawyers 4 Good Government, the Scope of Work mutually and iteratively agreed upon with L4GG, and the Resolution Authorizing the City of Carbondale to Contract Legal Services through Lawyers 4 Good Government.

File Attachments

[L4GG Letter of Engagement.pdf \(105 KB\)](#)

[Exhibit A - L4GG Scope of Work.pdf \(254 KB\)](#)

[Resolution Authorizing the City of Carbondale to Contract Legal Services through Lawyers 4 Good Government - 2023-12-12.pdf \(381 KB\)](#)

7. Consent Agenda of the City Council

Subject :

7.6 Award the Purchase of Two (2) Ford Maverick Hybrid Pickups to Vogler Ford of Carbondale, Illinois in the

Amount of \$64,440.00

Meeting : Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023

Type : Action

Recommended Action : Award the purchase of two (2) Ford Maverick hybrid pickups to Vogler Ford of Carbondale, Illinois in the amount of \$64,440.00 for the Community Development Department and adopt a resolution to declare a 2005 Crown Victoria as surplus to be used as a trade-in.

Public Content

Originating Department: Community Development

Background:

The FY 2024 budget for the Community Development Department was approved with the purchase of two (2) 2023-2024 Ford Maverick Hybrid engine trucks. One (1) vehicle would go to replace a 2003 Chevrolet Venture van in the Development Management Division, and the other would go to replace a 2005 Ford Crown Victoria in the Building and Neighborhood Services Division. Due to the age of these vehicles, safety, fuel efficiency, and reliability, current and future repair costs warrant the purchase. The Department has not purchased a new vehicle in ten (10) years and as the current fleet ages, it has become evident that new vehicles should be gradually brought into the Department.

The Development management vehicle will be used to transport public hearing signs to Planning Commission case sites, travel to state conferences, local meetings with such organizations as Greater Egypt Regional Planning and Development (GERP) that commonly are held in Marion, and for inspection of development sites. The front-wheel drive capability, ground clearance, large cabin, and access to an open cargo bed have been determined by Staff to be useful elements of the vehicle. The vehicle also will be marked as a Community Development or Development Management vehicle; currently, the vehicles used by the division are unmarked.

The Building and Neighborhood Services Division vehicle will be used by the most senior Neighborhood Inspector as a daily marked patrol vehicle. It will also be used in the event there are illegally posted signs on the public right of way, which during election times especially can involve a very large amount of signs. At times, it will also be utilized to transport materials to secure vacant buildings. Being a four (4) person-capacity vehicle, it can be utilized to transport inspectors to the bi-monthly Southern Illinois Code Enforcement Officials meetings, which occur in various locations an hour or two from Carbondale. The meetings are an important resource for continued education credits to maintain their inspector certifications.

Nine (9) dealerships received the bid packets as shown on the attached bid certificate, and only one (1) completed bid was received on November 16, 2023, and the bid meets the minimum specifications, as shown on the attached bid tab. Vogler Ford of Carbondale, Illinois was the low bidder on the two (2) hybrid pickup bids, and it's recommended that they be awarded the bid in the amount of \$64,440.00 which includes \$500 for a 2005 Crown Victoria trade-in. The department manager has decided not to trade in the 2012 Ford Focus due to an increase in BNS staffing with the Vacant Building Inspector position being filled.

It is recommended that the City Council approve the bid to be awarded to Vogler Ford of Carbondale, Illinois in the amount of \$64,440.00, including a \$500 trade-in of a 2005 Crown Victoria.

File Attachments

[A Resolution Declaring City Personal Property as Surplus 2023-12-12.pdf \(8 KB\)](#)
[24-27 Two \(2\) 2023-24 Hybrid Powered Supercrew Pickups Bid Tab 2023-12-12.pdf \(18 KB\)](#)
[24-27 Two \(2\) 2023-24 Hybrid Powered Supercrew Pickups Certificate 2023-12-12.pdf \(18 KB\)](#)

7. Consent Agenda of the City Council

Subject :	7.7 Resolution Authorizing the City Manager to Enter into a Professional Services Agreement with Prosody Consulting ED, LLC of Kansas City, Missouri in the Amount of \$25,000 to Perform a Benefit-Cost Analysis for a U.S. DOT RAISE Grant Application
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Action (Consent)
Recommended Action :	Approve a resolution authorizing the City Manager to enter into a Professional Services Agreement with Prosody Consulting ED, LLC of Kansas City, Missouri to perform a Benefit-Cost Analysis for a US DOT grant application
Goals :	Goal #5: Provide high-quality City infrastructure Goal #3: Demonstrate fiscal responsibility and transparency while providing high-quality City services

Public Content

Originating Department: Economic Development

Background:

The United States Department of Transportation has opened up the grant cycle for its Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant. \$1.5 billion in grant funding is available for this round of funding. The City of Carbondale applied for the FY23 RAISE grant, seeking over \$10 million to repave select roads that have fallen into disrepair and to upgrade them into "complete streets" style roads with bicycle lanes included. The City was a finalist to receive funding with our application being scored "highly recommended" but fell short due to the Benefit-Cost Analysis (BCA). The BCA is an economic analysis that utilizes assumptions to determine whether the anticipated benefits of the project outweigh the costs. Due to the specialized skills required to create a competitive BCA, Staff recommends utilizing a consultant who has expertise in these analyses and a history of working on successful transportation grants.

Prosody Consulting has experience in preparing BCAs for similar projects that have received funding through the RAISE grant opportunity. Prosody worked previously with the City and Jackson Growth Alliance in 2014 to expand the Jackson County Enterprise Zone to provide incentives for Gavilon to establish a transfer terminal port on the Mississippi River in Cora. It is Staff's opinion that entering into a Professional Service Agreement with Prosody Consulting ED, LLC will maximize the City's chances of receiving RAISE grant funding.

Prosody Consulting has proposed a blended fee schedule, including a \$25,000 fixed fee and a 1% success fee. The total grant ask for the FY23 RAISE grant application was \$10.3 million. It is expected that the ask for the FY24 application will be higher due to inflation. The roads to be included in this application include East Fisher Street, West Willow Street, North Marion Street, North Washington Street, North Oakland Street, West Mill Street, West Chautauqua Street, North and South Poplar Street, and West Oak Street. The deadline for the FY24 RAISE grant is February 28, 2024. There is no matching funds requirement due to the City's designation as rural.

A copy of the Professional Services Agreement with the scope of work and fee schedule included is attached. Also attached is the FY24 Notice of Funding Opportunity for the RAISE grant.

File Attachments

[Professional Services Agreement - Prosody Consulting ED LLC - 2023-12-12.pdf \(214 KB\)](#)

[Resolution Authorizing CM to Enter into Professional Services Agreement with Prosody Consulting ED, LLC 2023-12-12.pdf \(95 KB\)](#)

[RAISE 2024 NOFO 11.30.23_0.pdf \(845 KB\)](#)

7. Consent Agenda of the City Council

Subject :	7.8 Resolution Authorizing the City Manager to Enter into a Professional Services Agreement with Design Works of Carbondale, Illinois for Architectural/Engineering Services Related to the Washington Street Entertainment Plaza
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Action (Consent)
Recommended Action :	Approve a resolution authorizing the City Manager to enter a professional services agreement with Design Works for architectural and engineering services related to the Washington Street entertainment plaza.
Goals :	Goal #8: Use the downtown master plan as a guide to revitalize the City Center Goal #4: Encourage progressive economic development, tourism, arts, and entertainment Goal #3: Demonstrate fiscal responsibility and transparency while providing high-quality City services

Public Content

Originating Department: City Manager

Background:

The Illinois Department of Commerce and Economic Opportunity (DCEO) announced on September 10, 2021, that \$45 million would be made available to fund the Rebuild Downtowns & Main Streets Capital Grant Program (Rebuild Downtowns & Main Streets). The purpose of the program is to provide grants to support improvements and encourage investment in commercial corridors and downtowns that have experienced disinvestment, particularly in communities that have been the hardest hit by the COVID-19 public health and economic crisis. These grants will fund capital projects that make these commercial areas in Illinois more attractive for private investment, generate short-term and long-term employment opportunities, and improve the quality of life in the community through high-quality infrastructure and amenities.

In January 2022, the City applied for a Rebuild Downtowns grant and was notified in August 2022 that we were awarded \$2,055,040. On September 5, 2023, DCEO executed the grant agreement which releases the City to begin expending funds for the project.

In order to ensure a fair selection process, City Staff initiated a qualification-based selection (QBS) process at the end of September and received interest from eight firms. QBS utilizes an evaluation of design teams based on the qualifications of their firm, and not on cost. Following evaluation of the proposals, Staff completed the QBS process in November and recommends that Design Works be awarded the contract for Architectural/Engineering services. Design Works will be paid 10% of the total project cost and their fee includes all needed subconsultants; civil, mechanical, electrical, structural, acoustic, and landscape design, needed to complete the project.

File Attachments

[Resolution Authorizing CM to Enter into Professional Services Agreement with Design Works 2023-12-12.pdf \(199 KB\)](#)

[FINAL - SIGNED - 21-421014 GA - 9-29-2023.pdf \(20.715 KB\)](#)

[000 B101-2017 - Entertainment and Event Plaza DRAFT 2 - 001.docx 12-05-23.pdf \(543 KB\)](#)
[001 Exhibit A - Entertainment and Event Venue Contract 20231203_0001.pdf \(1,953 KB\)](#)
[01 Exhibit B - Design Works and Kirkegaard 2024 Hourly Rates.pdf \(104 KB\)](#)
[02 Exhibit B - Hafer Hourly Rates-Reimbursables.23Carbondale.pdf \(104 KB\)](#)
[03 Exhibit B - HSE Professional Fees Hourly Rates 2023.pdf \(81 KB\)](#)
[04 Exhibit B - Asaturian Hourly Rate List 2024.pdf \(64 KB\)](#)

7. Consent Agenda of the City Council

Subject :	7.9 Resolution Authorizing the City Manager to Enter into an Economic Development Tax Increment Financing Agreement with Helen L. Wallace, Inc for a Redevelopment Project at 317 East Main Street
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Action (Consent)
Recommended Action :	Approve a Resolution Authorizing the City Manager to Enter into an Economic Development Tax Increment Financing Agreement with Helen L. Wallace, Inc for a Redevelopment Project at 317 East Main Street
Goals :	Goal #4: Encourage progressive economic development, tourism, arts, and entertainment Goal #8: Use the downtown master plan as a guide to revitalize the City Center

Public Content

Originating Department: Economic Development

Background:

On February 17, 2004, the City Council approved an ordinance adopting tax increment financing (TIF) for TIF Redevelopment Project Area #1 (TIF #1). This ordinance allows property tax revenue created by new development within the project area to be held in a special City fund to pay for certain redevelopment expenses. One use of the increment funds is to reimburse private developers for eligible redevelopment project costs. The State statutes governing TIF specify eligible redevelopment project costs that include property acquisition, demolition, site preparation, environmental cleanup, remodeling and rehabilitation of existing buildings, and a portion of interest costs from financing. The cost of new building construction is not an eligible expense. The reimbursement terms for an individual project are specified in a redevelopment agreement between the City and the developer.

Attached for consideration by the City Council is a redevelopment agreement between the City and Helen L. Wallace, Inc. for reimbursement of a portion of the costs to redevelop the property at 317 East Main Street. The subject property is located within TIF #1 and as a result, the developer is eligible to receive reimbursement through TIF.

317 East Main is located within the City's Secondary Business (SB) zoning district. The property has been in possession of the current owner for approximately 60 years, and it houses multiple businesses.

Under the terms of the redevelopment agreement, the City will reimburse the developer for eligible costs \$20,000.00, which is the developers estimated cost of the redevelopment of the existing structure. A portion of the financing costs during construction may also be included once all financing is in place. Costs related to any new construction of the property will not be eligible and are not included in this estimate.

Objectives of the TIF Redevelopment Plan include the reduction or elimination of blighting conditions, enhancement of the real estate tax base, and encouraging private investment in the redevelopment project area. Development of the subject property as proposed by Helen L. Wallace, Inc. represents a substantial contribution to all of these objectives.

Recommended Action:

It is recommended that the City Council approve a resolution authorizing the City Manager to enter into an economic development tax increment financing agreement with Helen L. Wallace Inc. for a redevelopment project at 317 East Main Street.

File Attachments

[Wallace Redevelopment Agreement 2023-12-12.pdf \(11,807 KB\)](#)
[Resolution Approving TIF Agreement with Helen L Wallace Inc 317 East Main Street - 2023-12-12.pdf \(195 KB\)](#)

7. Consent Agenda of the City Council

Subject :	7.10 Award of Contracts for Various Water Main Replacements to A & W Plumbing & Heating of Murphysboro, Illinois in the Amount of \$1,359,878.46 and Wiggs Excavating, Inc. of Benton, Illinois in the Amount of \$491,518.00
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Action (Consent)
Recommended Action :	Award Contracts for Various Water Main Replacements to A & W Plumbing & Heating of Murphysboro, Illinois in the Amount of \$1,359,878.46 and Wiggs Excavating, Inc. of Benton, Illinois in the Amount of \$491,518.00
Goals :	Goal #5: Provide high-quality City infrastructure Goal #3: Demonstrate fiscal responsibility and transparency while providing high-quality City services Goal #1: Provide a high quality-of-life and foster a sense of community for all residents

Public Content

Originating Department: Public Works - Utilities

Background:

Each year, the City solicits bids to replace water mains that are in poor condition and break frequently, causing service outages to customers and resulting in costly repairs and street patches. Water mains were bid for replacement this year in four separate targeted areas listed in the 5-year CIP budget:S. Normal Avenue CIP WS1801,S. Glenview Drive CIP WS2402,S. Hunt Road CIP WS2403, and Kelly Rae Lane CIP WS2404. Material prices continue to rise, so this project came in approximately 15% over budget. Sufficient funds are available from other FY 2024 CIP projects in the W&S Fund to cover the total cost.

This bid was advertised in the*Southern Illinoisan*on Tuesday, November 28, 2023. An Invitation to Bid was sent to twenty (20) companies and five (5) plan houses, as shown on the attached certificate. Four sets of bid documents were purchased and three (3) bids were received and opened on Wednesday, December 6, 2023.The lowest bids meeting the minimum required specification were submitted by A & W Plumbing & Heating of Murphysboro, Illinois in the Amount of \$1,359,878.46 and Wiggs Excavating, Inc. of Benton, Illinois in the Amount of

\$491,518.00. Low Bids from R. B. Bush Contracting, Inc. of Carbondale, Illinois for S. Hunt Road and S. Normal Avenue were rejected due to incomplete paperwork.

The City Council is requested to award contracts for S. Glenview Drive, Kelly Rae Lane, and S. Hunt Road water main replacements to A & W Plumbing & Heating of Murphysboro, Illinois in the amount of \$1,359,878.46 and award a contract for S. Normal Avenue water main replacement to Wiggs Excavating, Inc. of Benton, Illinois in the amount of \$491,518.00.

File Attachments

- [24-28 Various Water Main Replacements Bid Tab 2023-12-12.pdf \(120 KB\)](#)
- [24-28 Various Water Main Replacements Certificate 2023-12-12.pdf \(29 KB\)](#)
- [DE&I Bid Report Various Water Main Replacements.pdf \(534 KB\)](#)

7. Consent Agenda of the City Council

Subject :	7.11 Approval of Consent Agenda Items
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Action (Consent)
Recommended Action :	Approve all Consent Agenda items not pulled for separate consideration

Public Content

8. General Business of the City Council

Subject :	8.1 Review of Community Investment Program (CIP) Checklist Items for Proposed New Projects
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Action
Recommended Action :	Review and concur with staff recommendations, make new recommendations, and/or suggest additional projects for the Community Investment Program (CIP)

Public Content

Originating Department: Public Works- Engineering

Background:

Each year, citizens are requested to suggest projects for the Community Investment Program (CIP) that will improve their neighborhood or the community-at-large. The proposed projects submitted by citizens for the upcoming FY25 budget year are attached as Exhibit A. In addition, suggestions from City Staff for new CIP projects are included in Exhibit B. The City Council is requested to review all the projects received from citizens and staff and indicate if the recommendations are appropriate. City Council members may also propose new CIP projects during this review of the CIP program. The projects proposed for FY 2025 will be prioritized by the City staff and placed in the 5-year CIP program based on funding availability. The CIP will be brought back to City Council for review and approval during the FY 2025 City budget process.

Recommended Action:

The City Council is requested to review and concur with staff recommendations, make new recommendations, and/or suggest additional projects for the Community Investment Program(CIP).

File Attachments

[FY2025 CIP Suggestions to City Council 2023-12-12.pdf \(158 KB\)](#)

8. General Business of the City Council

Subject :	8.2 Ordinances Abating the 2023 Tax Levies for General Obligation Bonds
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Action
Recommended Action :	Approve the Ordinances abating the 2023 Debt Service Tax Levies for the 2011, the 2013, the 2020A and 2020B, and the 2022 General Obligation Bonds.
Goals :	Goal #3: Demonstrate fiscal responsibility and transparency while providing high-quality City services

Public Content

Originating Department: Finance

Background:

Ordinance Abating the 2023 Tax Levy for 2011 Water and Sewer General Obligation Bonds Debt Service

Background and Summary:

On February 9, 2011, the City Council adopted Ordinance No. 2011-10 which provided for the issuance of \$1,100,000 in General Obligation Bonds for the financing of the construction of the Equalization Basin for the Northwest Wastewater Treatment Plant.

The proposed ordinance abates the 2023 tax levy for the entire debt service amount required in the amount of \$79,069. The abated levy funds will be replaced with general revenues of the City's Water & Sewer Fund.

Ordinances Abating the 2023 Tax Levy for the 2013 Series General Obligation Refunding Bonds

Background and Summary:

On April 16, 2013, the City Council adopted Ordinance No. 2013-19, which provided for the issuance of \$9,015,000 General Obligation Refunding Bonds which refunded the 2003 Series General Obligation Refunding Bonds, the 2003 IEPA Loan for the upgrade of the Southeast Wastewater Treatment Plant (Loan Agreement L17-1814) and provide funds for improvements for Schwartz Street from Oakland Avenue to Eason Drive. The 2003 Series General Obligation Refunding Bonds were issued by Ordinance No. 2003-48 which refunded the 1993 Series General Obligation Refunding Bonds. The 1993 Series General Obligation Refunding Bonds were issued by Ordinance No. 93-83 adopted on December 21, 1993, to refund the 1990 Series University Mall Tax Allocation Revenue Bonds.

The Bond Ordinance No. 2013-19 refunded the series 2003 bonds, the IEPA loan agreement L17-1814, and provided funds for the street improvements on Schwartz Street and provided for the debt service on the 2013 Series General Obligation Bonds to be paid by a direct annual property tax levy. The proposed ordinance abates the 2023 Tax levy for the entire debt service amount required in the amount of \$693,734. The abated levy funds will be replaced with general revenues of the Citys Water & Sewer Fund.

Ordinances Abating the 2023 Tax Levy for the 2020A Series and 2020B Series General Obligation Refunding Bonds

Background and Summary:

On June 9, 2020, the City Council adopted Ordinance No. 2020-19, which provided for the issuance of \$6,850,000 General Obligation Refunding Bonds which refunded the 2010A Series General Obligation Bonds and the Series 2011 General Obligation Bonds. The 2010A Series bonds were issued by Ordinance No. 2010-25 which provided funding for the construction of the public safety center. The 2011 Series General Obligation Bonds were issued by Ordinance No. 2011-51 adopted on October 4, 2011, for the refunding of 2004 Series General Obligation Bonds (\$3,825,000) originally issued to fund construction of the Civic Center/City Hall and to fund construction of a new No. 2 Fire Station (2,800,000).

The Bond Ordinance No. 2020-19 refunded the series 2010A bonds and the series 2011 bonds and provided for the debt service on the 2020A and 2020B Series General Obligation Bonds to be paid by a direct annual property tax levy. The proposed ordinance abates the 2023 Tax levy for the entire debt service amount required in the amounts of \$548,200 (2020A) and \$623,918 (2020B). The abated levy funds will be replaced with general revenues of the Citys General Fund.

Ordinances Abating the 2023 Tax Levy for the 2022 Series Taxable General Obligation Bonds

Background and Summary:

On January 25, 2022, the City Council adopted Ordinance No. 2022-04, which provided for the issuance of \$40,585,000 Taxable General Obligation Bonds which were utilized to fund the Carbondale Fire and Police Pension Plans to 100%.

The Bond Ordinance No. 2022-04 provided for the debt service on the 2022 Series Taxable General Obligation Bonds to be paid by a direct annual property tax levy. The proposed ordinance abates the 2023 tax levy for the entire debt service amount required in the amount of \$2,866,923. The abated levy funds will be replaced with general revenues of the Citys General Fund and 1/2 of the Food and Beverage Tax revenues from the Package Liquor and Food and Beverage Tax Fund.

File Attachments

- [Ordinance Abating 2023 Tax Levies on 2011 Water Sewer Bonds 2023-12-12.pdf \(105 KB\)](#)
- [Ordinance Abating 2023 Tax Levies on 2013 Bonds 2023-12-12.pdf \(106 KB\)](#)
- [Ordinance Abating 2023 Tax Levies on 2020 Series A Bonds 2023-12-12.pdf \(106 KB\)](#)
- [Ordinance Abating 2023 Tax Levies on 2020 Series B Bonds 2023-12-12.pdf \(106 KB\)](#)
- [Ordinance Abating 2023 Tax Levies on 2022 Series Bonds 2023-12-12.pdf \(107 KB\)](#)

8. General Business of the City Council

Subject :	8.3 Ordinance Adopting the 2023 Property Tax Levy
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Action
Recommended Action :	Approve an Ordinance adopting the 2023 Tax Levy in the

amount of \$2,235,843 (\$1,035,331 City Purposes, \$1,054,950 Library General Operating Purposes, \$55,876 Library IMRF Purposes, \$41,528 Library Social Security Tax Purposes, \$38,447 Library Liability, Tort, & Insurance Purposes, \$9,711 Library Medicare Tax Purposes)

Public Content

Originating Department: Finance

Background:

The City Council reviewed the recommended 2023 tax levy at the November 14, 2023, Council meeting for the Truth in Taxation Act determination. The 2023 tax levy provides the revenues for the City's fiscal year 2025, which runs from May 1, 2024, through April 30, 2025.

The property tax levy for 2022 was \$1,211,346 for public safety pensions, \$203,130 for street lighting, and \$4,987,465 for debt service for the 2011, the 2013, both 2020 A&B, and the 2022 Series General Obligation Bonds. This levy was partially abated, resulting in a net \$1,035,331 public safety pension levy extension. For 2023, the staff submitted a recommended tax levy, less abatements, of \$1,035,331 for partial funding of public safety pensions, an increase of \$0 (0.0%) over the extended 2022 levy, for the extended taxes received this year. Following discussion at the November 14, 2023, Council meeting, City Staff has prepared the recommended 2023 levy with an amount equal to a 0.000% increase. Therefore, for 2023, the tax levy, less abatements, of \$1,035,331 for the partial funding of public safety pensions, an increase of \$0 (0.000%) above the 2022 levy, for the extended taxes received this year. As in prior years, the required levy amounts (\$4,811,844) for debt service of the General Obligation Bonds and (\$203,530) for street lighting are abated.

The Public Library Tax Levy, as submitted by the Library's Board of Trustees, amounts to \$1,054,950 for General Operating Purposes, \$55,876 for Library IMRF Purposes, \$41,528 for Library Social Security Tax Purposes, \$38,447 for Library Liability, Tort, and Insurance Purposes, and \$9,711 for Library Medicare Tax Purposes. This is a total Library levy of \$1,200,512 and a \$46,158 increase over the prior year's extended levy of \$1,154,354, or 3.999%. In accordance with State law, the City Council must adopt the tax levy approved by the Library Board.

The total Municipal Property Tax Levy, consisting of the City Government Purposes Levy and the Library Purposes Levy is \$2,235,843.

File Attachments

[Ordinance Adopting the 2023 Property Tax Levy 2023-12-12.pdf \(104 KB\)](#)

[Tax Levy Ordinance Table Part 1 2023-12-12.pdf \(63 KB\)](#)

[Tax Levy Ordinance Table Part 2 2023-12-12.pdf \(50 KB\)](#)

8. General Business of the City Council

Subject :	8.4 Ordinance Establishing the 2023 Tax Levy for the Downtown Special Services Area Number One
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Action
Recommended Action :	Approve the Ordinance adopting the 2023 Tax Levy in the amount of \$48,991.09 for the Downtown Special Service Area Number One

Goals :

Goal #3: Demonstrate fiscal responsibility and transparency while providing high-quality City services

Public Content

Originating Department: Finance

Background:

The City Council adopted Ordinance No. 2001-42 on October 2, 2001 which authorized the extension and expansion of the Downtown Special Service Area Number One in the City of Carbondale, Illinois. The Ordinance extended for another five (5) years the Special Service Area, which was established by the City Councils adoption of Ordinance No. 96-25 on March 19, 1996, and expanded the boundaries by adding several properties on North Illinois Avenue. Also, the Ordinance reduced the maximum tax levy rate from \$0.56 per \$100 of Equalized Assessed Valuation (as was set at the time the Downtown Special Service Area was established) to \$0.54 per \$100 of Equalized Assessed Valuation, and set a sunset provision for the SSA to cease on December 31, 2007.

On July 18, 2006, the City Council again authorized an extension and expansion of the Downtown Special Service Area Number One. With the adoption of Ordinance No. 2006-45, the Downtown Special Service Area Number One was extended for another five years, and its boundaries were expanded by adding properties on East Main Street. Also, the maximum tax levy rate was reduced from \$0.54 per \$100 to \$0.48 per \$100 of equalized assessed valuation.

On November 13, 2012, the City Council again authorized an extension of the Downtown Special Service Area Number One. With the adoption of Ordinance No. 2012-52, the Downtown Special Service Area Number One was extended for another five years. The maximum tax levy rate was left at \$0.48 per \$100 of equalized assessed valuation.

On November 7, 2017, the City Council again authorized an extension of the Downtown Special Service Area Number One. With the adoption of Ordinance No. 2017-46, the Downtown Special Service Area Number One was extended for another five years. The maximum tax levy rate was left at \$0.48 per \$100 of equalized assessed valuation.

On December 13, 2022, the City Council again authorized an extension of the Downtown Special Service Area Number One. With the adoption of Ordinance No. 2022-41, the Downtown Special Service Area Number One was extended for another five years. The maximum tax levy rate was increased to \$0.56 per \$100 of equalized assessed valuation.

The Special Service Area Number One Tax Levy Ordinance provides for the recommended amount of \$50,559.49 to be levied on the properties within the boundaries identified by the Ordinance; this is an increase of \$1,567.70 or 3.2% of the amount levied in the previous year.

Recommended Action: It's recommended that the City Council approve an Ordinance establishing the 2023 tax levy for Downtown Special Service Area #1.

File Attachments

[Ordinance Establishing the 2023 Tax Levy for Downtown Special Service Area Number One 2023-12-12.pdf \(113 KB\)](#)

[Exhibit 1 Map of SSA 2023-12-12.pdf \(4.203 KB\)](#)

[2023 Main Street Tax Levy Letter 2023-12-12.pdf \(259 KB\)](#)

8. General Business of the City Council

Subject :	8.5 City Council Discussion of Proposed Rental Property Licensing and Housing Rights Ordinances
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Discussion, Information

Public Content

Originating Department: City Manager - City Attorney - Community Development

Background:

On July 25, 2023, City Staff presented information to the City Council regarding comparisons between the current residential rental registration program and residential rental licensing programs that have been adopted by other municipalities. Following discussion, Staff was directed to establish a focus group consisting of landlords, and SIU student legal services. Staff also contacted Land of Lincoln legal aid and Illinois Realtors to assist Staff in preparing draft ordinances to convert the City's current rental registration program to a licensing program.

Over the past several months, Staff have drafted the attached ordinance language that relates to rental licensing, housing rights, and rental license agencies. The drafted ordinances have been shared among the focus group and many suggestions received have been incorporated into the draft ordinances. Staff requests that the City Council discuss the attachments and provide further direction to Staff regarding possible future adoption of the ordinances.

File Attachments

- [DRAFT - Housing Rights Ordinance - 2023-12-12.pdf \(568 KB\)](#)
- [DRAFT- Residential Rental Agent Licensing Ordinance - 2023-12-12.pdf \(270 KB\)](#)
- [DRAFT - Residential Rental Licensing and Grading Ordinance - 2023-12-12.pdf \(398 KB\)](#)

9. Adjournment of the City Council Meeting

Subject :	9.1 Adjourn meeting
Meeting :	Dec 12, 2023 - Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
Type :	Procedural

Public Content

The Mayor will declare the meeting adjourned.